

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

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In re: Testosterone Replacement Therapy	)
Products Liability Litigation	)
	)
This Document Relates to All Cases	)

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Case No. 1:14-cv-01748

Hon. Matthew F. Kennelly

**JOINT MOTION FOR EXTENSION OF DEADLINES**

Counsel for Plaintiffs and Defendants jointly request that this Court extend the deadlines for briefing on the Defendants' Motions to Dismiss. Counsel requests that Plaintiffs be given an additional 30 days to file a response and that Defendants be given an additional 14 days to file a reply. In support of this Motion, the parties state as follows:

1. On March 19, 2014, Defendants previously requested an extension of time to file answers or otherwise plead to complaints in testosterone replacement therapy cases that had been consolidated before this Court as *In Re: Abbvie*. The reason for the request was that the Defendants required additional time to file a unified response addressing the varying state laws at issue in each of the complaints.
2. This Court extended the deadline to June 4, 2014 as the defendants were "dealing with multiple cases and the laws of multiple states."
3. At that time the Court ordered that responses be filed by July 16, 2014 for the cases in which the motions to dismiss were made in the *In Re: AbbVie* consolidated proceeding. At that time the undersigned counsel and small number of other lawyers on behalf of the Plaintiffs in the *In Re; AbbVie* consolidated action had organized themselves to file a response on behalf of the Plaintiffs in those actions.

4. Since that time the Judicial Panel on Multidistrict Litigation entered an order creating MDL 2545, *In re: Testosterone Replacement Therapy Litigation*, and numerous other cases previously filed in other federal district courts and “tag-along” actions have been conditionally transferred to this Court. As a result, the response to the motions to dismiss will have more far-reaching implications as precedent for all cases that are now part of MDL 2545.

5. Currently, undersigned counsel and others representing Plaintiffs in this litigation have not formally been appointed to any type of leadership role for MDL 2545. Multiple attorneys for Plaintiffs in cases not consolidated in this Court prior to the MDL have raised concerns as to filing a response to a dispositive motion that may impact all cases in the MDL without those counsel filing it having the formal authority to do so. In light of these issues, Plaintiffs’ counsel and Defendants’ counsel have agreed that an additional 30 days for the Plaintiffs’ response and an additional 14 days for the Defendants’ reply would be appropriate. This brief extension will provide enough time for Court appointment of MDL leadership so that the response can be filed on behalf of the MDL by those vested with the proper authority to do so.

6. This motion is not made for purposes of harassment or undue delay, nor is it due to any oversight or lack of diligence on the part of Plaintiffs or Defendants.

7. The consolidated cases are set for a hearing at 11 a.m. on July 10, 2014. The parties would be glad to address this request for extension at that hearing.

WHEREFORE, Plaintiffs and Defendants respectfully request that this Court grant this Motion and enter an order extending the deadline for Plaintiffs to file a response by 30 days to August 15, 2014 and the deadline for Defendants to file a reply by 14 days to September 12, 2014.

Respectfully Submitted,

/s/ Ronald E. Johnson, Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of July, 2014 the foregoing document was filed via the Court's CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ Ronald E. Johnson, Jr.

Ronald E. Johnson, Jr.